HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 23714 OF 2006

DATED: 15.11.2006

Between:

Syed Raziuddin Murtuza

… Petitioner

and

Commissioner of Police, Cyberabad and others

… Respondents

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.23714 OF 2006

ORAL ORDER:

The writ petition is fundamentally misconceived.

The petitioner submitted a complaint which is only to the effect that one S.A. Wahab has encroached upon the petitioner's uncle's land in an extent of 450 sq. yards in Sy.No.314; constructed 2 rooms and when asked to remove the same, stated that he would discuss the matter, but has not either vacated or removed the constructions.

By any expansion of language or content, this complaint does not constitute information as to the commission of a cognizable offence. In that view of the matter, the respondents 1 and 2 have no manner of jurisdiction or authority to register such a complaint or investigate into the matter. If the petitioner is aggrieved by any civil action of the 3rd respondent interfering with his proprietary rights or rights of occupation and enjoyment, the petitioner is at liberty to pursue the appropriate remedies before the civil court of competent jurisdiction.

On the analysis above, there are no merits. The writ petition is dismissed. No order as to costs.

GODA RAGHURAM, J

Date: 15.11.2006
CVM